

REMARKS

Claims 1-28 are pending in the Application. Claims 1-28 are rejected. The drawings are objected to under 37 C.F.R. 1.84(p)(5) for failing to include reference "62" in Fig. 6. The drawings are objected to under 37 C.F.R. 1.83(a) for failing to show a "shaft" as stated in claim 16 and for failing to show a "shank portion 18" as mentioned in the specification at page 5, line 7. Claims 1, 15, and 16 are objected to because of various informalities. Claims 4-9, 11, 20-24, and 26 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1 and 16, and claims 2, 3, 10, 12-15 and 17-19, 25 and 27-28 depending from claims 1 and 16, are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Ellig (US 5,862,603). Claims 16-19, 25 and 27-28 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lorocco (US 5,956,854). Claims 2-3, 10 and 12-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellig in view of the TruGlo article "When Brightness Counts." Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellig in view of Lorocco '854.

Drawings

The drawings are objected to under 37 C.F.R. 1.84(p)(5) for including reference "62" in Fig. 6 not mentioned in the description. Reference 62, however, is mentioned in the description at page 8, line 17. Accordingly, the rejection is respectfully submitted as improper, and Applicant requests withdrawal of the rejection.

The drawings are objected to under 37 C.F.R. 1.83(a) for failing to show a "shaft" as stated in claim 16. The sighting indicia support portion 32 is clearly depicted in the figures in a manner that one of ordinary skill in the art would appreciate as being a shaft.

As the figures do depict a shaft, the rejection is respectfully submitted as improper, and Applicant requests withdrawal of the rejection.

The drawings are objected to under 37 C.F.R. 1.83(a) for failing to show a "shank portion 18" as mentioned in the specification at page 5, line 7. The shank portion is clearly depicted in Fig. 1, referenced as number 18. Accordingly, the rejection is respectfully submitted as improper, and Applicant requests withdrawal of the rejection.

Claim Objections

Claims 1, 15, and 16 are objected to because of various informalities. The specific informalities have been amended in accordance with the Examiner's recommendations. Accordingly, Applicant respectfully submits that claims 1, 15, and 16 are in condition for allowance.

Claim Rejections – 35 U.S.C. § 112

Claims 4-9, 11, 20-24, and 26 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the claims are rejected as follows:

It is confusing as to which Figure the claims pertain to. For example, it is unclear how claim 4, which can only pertain to Figure 5, can be dependent on claims 2-3, which can only pertain to Figure 1. The specification nor the drawings support the combination of Figures 1 and 5, which would be the only way to read claim 4 and the remainder of the above rejected claims.

Applicant respectfully submits that the rejections of claims 4-9, 11, 20-24 and 26 are improper, because the rejected claims do read on subject matter which was enabled by the disclosure and the claim interpretations advanced in the rejection are unduly narrow. Accordingly, Applicant requests the rejections be withdrawn.

Firstly, the specific example given in the rejection assumes that claims 2 and 3 cannot read on the embodiments depicted in Figs. 5 and 6. This is not so. Although claim 2 has been canceled, claim 1 has been amended to include a limitation similar to that of former claim 2. Claim 1 includes the limitation that the optical fiber have "a second end with an end surface that is received in the second end of the elongate pin." Fig. 5 clearly depicts the pin 10' having the optical fiber 40', and the end surface of the second end 44' is received in an aperture 50 in the end pin 10' (see also pg. 7, lines 16-20). Likewise, Fig. 6 depicts a similar pin 10' as Fig. 5, but with alternate features not excluded by the language of claim 1. Accordingly, claim 1 clearly reads on the embodiments depicted in Figs. 5 and 6.

Claim 3 depends from claim 1 and includes the limitation "wherein the elongate pin has a cavity in the second end; and wherein the second end of the light-gathering optical fiber is received within the cavity." The language of the claim nor the specification limits the term "cavity" to cavity 28. Fig. 5 clearly depicts a cavity in the second end of the pin 10' in which the light source 54 resides. The second end of the light-gathering optical fiber 40' is received in this cavity in accordance with the limitations of claim 3. As above, Fig. 6 depicts a similar pin 10' as Fig. 5, but with alternate features not excluded by the language of claim 3. Accordingly, claim 3 clearly reads on the embodiments depicted in Figs. 5 and 6.

As both claims 1 and 3 read on Figs. 5 and 6, it is clear that the "only way" to read claim 4 is not as advanced in the rejection, i.e. a combination of Figs. 1 and 5. Rather, claim 4 clearly reads on the embodiment of Fig. 5 or the embodiment of Fig. 6, each of which are enabled by the disclosure. Accordingly, Applicant respectfully submits that the rejection of claim 4 is improper, and requests withdrawal of the rejection.

Claims 5-9 depend from claim 4, and Applicant respectfully submits that the rejections of claims 5-9 are improper for at least the same reasons as discussed above with respect to claim 4. Therefore, Applicant additionally requests withdrawal of the rejections to claims 5-9.

Claim 11 depends from claim 3. As discussed above, claim 3 reads on both Figs. 5 and 6. Likewise, claim 11 reads on Figs. 5 and 6. Accordingly, Applicant respectfully submits that the rejection of claim 11 is improper, and requests withdrawal of the rejection.

The specific rejection as to claims 20-24 and 26 is not detailed in the Action. However, each of 20-24 and 26 depend from claim 16. Claim 16 clearly reads on both Figs. 5 and 6, as well as Figs. 1-3. Claims 20-24 and 26 clearly read on Figs. 5 and 6. Accordingly, Applicant respectfully submits that the rejections of claims 20-24 and 26 are improper, and requests withdrawal of the rejections to these claims.

Claims 1 and 16, and claims 2, 3, 10, 12-15 and 17-19, 25 and 27-28 depending from claims 1 and 16, are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. Specifically, these claims are rejected because, "it is not clear how the optical fiber functions without revealing a source of energy and its location on the device as is shown in Figures 5-6, but not shown in Figures 1-4 upon which the claims read upon." Applicant respectfully submits that these claims are not incomplete, because one of ordinary skill in the art would realize that the optical fiber is capable of gathering light, for example ambient light, through the circumferential wall of the fiber and directing the light to the end faces. This is discussed on page 2, lines 1-4, wherein it states:

More recently, light-gathering fluorescent fibers having spaced apart ends at which light gathered along exposed longitudinal surfaces of the fiber is emitted at the ends of the fiber to provide a bright dot, have been mounted in archery pins.

Accordingly, Applicant submits that claims 1 and 16, and claims 2, 3, 10, 12-15 and 17-19, 25 and 27-28 depending from claims 1 and 16, are clear and in compliance with 35 U.S.C. § 112, second paragraph, and respectfully requests withdrawal of the rejection.

Claim Rejections - 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Ellig (US 5,862,603). Claim 1, as amended, is drawn to a sight pin assembly including "an elongate light-gathering optical fiber having a first end supported substantially at the first end of the elongate pin and visible when viewing a front of the elongate pin and having a second end with an end surface that is received in a second end of the elongate pin and obscured from view when viewing the front of the elongate pin." Ellig fails to disclose such a sight pin assembly, because it fails to disclose a second end surface of the elongate light-gathering optical fiber received in a second end of the elongate pin (see Ellig, Fig. 2). Accordingly, Ellig fails to disclose each and every limitation of claim 1. Applicant respectfully requests withdrawal of the rejection under § 102(b).

Claims 16-19, 25 and 27-28 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lorocco (US 5,956,854). Claim 16, as amended, is drawn to a sight pin assembly including a shaft portion, a base portion and "a light-gathering optical fiber engaged by the shaft portion of the at least one sight pin and having one end closely received in the elongate fiber-receiving aperture, the light-gathering optical fiber further having an end surface at least partially covered by the sight pin." Lorocco '854 fails to disclose such a sight pin assembly, because it fails to disclose a light-gathering optical fiber having an end surface at least partially covered by the sight pin. Accordingly, Lorocco '854 fails to disclose each and every limitation of claim 16. Applicant respectfully requests withdrawal of the rejection under § 102(b).

Claims 17-19, 25 and 27-28 depend from independent claim 16, and Applicant respectfully requests withdrawal of the rejections under § 102(b) for at least the same reasons as claim 16.

Claim Rejections - 35 U.S.C. § 103

Claims 2-3, 10 and 12-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellig in view of the TruGlo article "When Brightness Counts," 1997 (hereinafter "TruGlo article").

Claim 2 has been canceled. Therefore the rejection as to claim 2 is moot.

Claims 3, 10 and 12-14 depend from independent claim 1. Claim 1 requires the sight pin assembly have an elongate pin and an elongate light-gathering optical fiber with "a second end with a second end surface received in the second end of the elongate pin and obscured from view when viewing the front of the elongate pin." Ellig is cited for disclosing a sight pin with an optical fiber having a second end supported at a second end of the elongate pin. However, as discussed above, Ellig fails to disclose a sight pin assembly having a second end with an end surface that is received in the second end of the elongate pin. The TruGlo article also fails to disclose an optical fiber having a second end surface received in the second end of the elongate pin. Furthermore, Ellig is cited for disclosing a sight pin having the second end of the optical fiber obscured from view when viewing the front of the elongate pin. Ellig, however, does not discuss the reason for obscuring the end surface of the optical fiber, and therefore provides no motivation to apply such teaching to another device. The TruGlo article does not disclose obscuring the end of the optical fiber. Accordingly, the combination of Ellig and the TruGlo article fails to obviate claim 1, and correspondingly, claims 3, 10, and 12-14. In view of the above, Applicant respectfully requests withdrawal of the rejections to claims 3, 10, and 12-14 under 35 U.S.C. § 103.

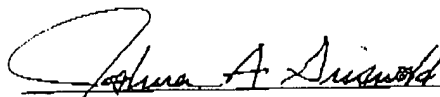
Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellig in view of Lorocco '854. Claim 15 depends from independent claim 1. Claim 1 requires the sight pin assembly have an elongate pin and an elongate light-gathering optical fiber with "a second end with a second end surface received in the second end of the elongate pin and obscured from view when viewing the front of the elongate pin." Ellig is cited for disclosing a sight pin having the second end of the optical fiber obscured from view when viewing the front of the elongate pin. Lorocco '854 is cited for disclosing a second end of the optical fiber received in the second end of the elongate pin but does not disclose the second end of the optical fiber obscured from view. Although the second end of the optical fiber in Ellig is obscured from view, Ellig does not discuss the reason for obscuring the end surface of the optical fiber. Therefore, Ellig provides no motivation

to apply such teaching to another device, namely the device of Lorocco '854. Accordingly, the combination of Ellig and Lorocco '854 fails to obviate claim 1, and correspondingly, claims 3, 10, and 12-14. In view of the above, Applicant respectfully requests withdrawal of the rejections to claims 3, 10, and 12-14 under 35 U.S.C. § 103.

It is believed that the amendments and remarks herein place the Application in condition for allowance, and such a Notice is respectfully requested. If there are any outstanding issues, Examiner is requested to telephone the Applicant's counsel to resolve such issues. It is believed that no fees are due at this time. However, please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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